

Electronically Recorded

Official Public Records

Tarrant County Texas

2009 Aug 19 09:14 AM

Fee: \$ 20.00

Submitter: SIMPLIFILE

D209221977

2 Pages

Argonne Henderson
NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AMENDMENT TO OIL AND GAS LEASE

State: Texas
County: Tarrant
Lessor: City of Benbrook
Lessee: XTO Energy Inc.
Effective Date: June 1, 2005

Lessee, named above, is the present owner of an Oil and Gas Lease (the "Lease"), dated March 1, 2007, from Lessor, named above, recorded in Tarrant County Clerk's Document No. D207146359, Official Public Records of Tarrant County, Texas, said Lease being subject to Assignment to Lessee, named above, dated August 1, 2007, and recorded in Tarrant County Clerk's Document No. D208015102, Official Public Records of Tarrant County, Texas.

At the time the Lease was entered into, the description of the lands contained in the Lease was believed by Lessor and (the original) Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Lease, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor intended to lease to Lessee. Lessor and Lessee desire to amend and correct the description of lands contained in the Lease to accurately identify the lands to be covered by the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease shall cover, and the Lease is amended, so that it now covers the following lands in the county and state named above:

3.83 acres, out of the B.J. Foster Survey, Abstract No. 520, Tarrant County, Texas, being Lot 21, Block 2, Benbrook Industrial Park, an Addition to the City of Benbrook, Tarrant County, Texas, according to Plat recorded in Volume 388-126, Page 46, Plat Records, Tarrant County, Texas and being the same lands described in that certain Warranty Deed, dated June 22, 1979, from Harold R. Shuler, Trustee to the City of Benbrook, recorded in Volume 6768, Page 2161, Official Public Records, Tarrant County, Texas.


Lessor ratifies, adopts, and confirms the Lease and extends the Lease to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes and upon the terms, conditions, and provisions contained in the Lease.

D209221977

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

This Amendment is signed by Lessor as of the date of the acknowledgment of its signature below, but is effective for all purposes as of the Effective Date stated above.

Lessor



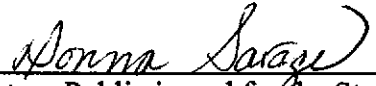
City of Benbrook
By: Andy Wayman, City Manager

THE STATE OF TARRANT §

§

COUNTY OF TARRANT §

This instrument was acknowledged before me on the 1st day of April, 2008, by Andy Wayman as City Manager of City of Benbrook, Tarrant County, Texas.



Notary Public in and for the State of Texas
My Commission Expires: 10-01-2008

